

09/05/03  
17667 U.S. PTO

PATENT  
Customer Number 22,852  
Attorney Docket No. 4329.2309-02

22388 U.S. PTO  
10/655022  
09/05/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Mail Stop Patent Application**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Prior Application Art Unit: 2812 Prior Application Examiner: Ron E. POMPEY

SIR: This is a request for filing a Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/564,191 filed May 4, 2000 of Ichiro MIZUSHIMA et al. for SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURING THE SAME

1.  Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed on May 4, 2000 in the Japanese language and the accurate English translation thereof subsequently filed on September 15, 2000. I hereby verify that the attached papers are a true copy of prior Application No. 09/564,191 as originally filed on May 4, 2000, which is incorporated herein by reference.
2.  Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3.  Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4.  Cancel Claims 1-16.
5.  A Preliminary Amendment is enclosed.

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6.  The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee				\$750	\$ 750.00		
	Number of Claims	Basic	Extra Claims				
Total Claims	5	-	20	0	x \$18 0.00		
Independent Claims	1	-	3	0	x \$84 0.00		
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)				+\$280	0.00		
Subtotal					\$ 750.00		
Reduction by 1/2 if small entity					- 0.00		
TOTAL APPLICATION FILING FEE					\$ 750.00		

7.  A check in the amount of \$750.00 to cover the filing fee is enclosed.

8.  The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.

9.  New acceptable drawings are enclosed.

10.  The prior application is assigned of record to: KABUSHIKI KAISHA TOSHIBA

11.  Priority of Application No. 11-125746, filed on May 6, 1999 in Japan, and No. 2000-130412, filed April 28, 2000, are claimed under 35 U.S.C. § 119. A certified copy  
 is enclosed or  is on file in the prior application.

12.  Small entity status is appropriate and applies to this application.

13.  The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020;

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14.  The power appears in the original declaration of the prior application.

15.  Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

16.  Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852**.

17.  Recognize as associate attorney [Name, Address & Reg. No.]  
\_\_\_\_\_  
\_\_\_\_\_

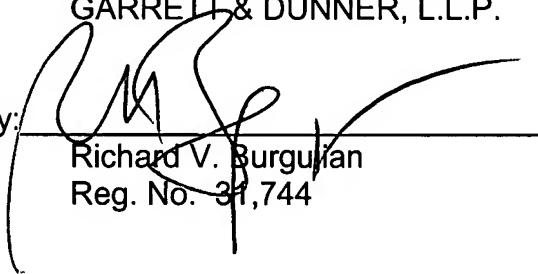
18.  Also enclosed is a Request for Approval of Drawing Change and Submission of Replacement Drawings.

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 09/564,191 filed May 4, 2000, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 5, 2003

By:

  
Richard V. Burgulian  
Reg. No. 31,744

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